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10/687,617	10/20/2003	Katsuhiko Akiyama	1405.1077	2603

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EXAMINER

SINGH, RACHNA

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2176

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,617

Applicant(s)

AKIYAMA, KATSUHIKO

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendments and Remarks filed on 05/17/07.
2. Claims 1-2 and 4-7 are currently pending in the case, with claims 1, 6, and 7 being the independent claims.
3. Claims 1-2 and 4-7 are rejected.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-2, 4, 6, and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla, et al., (U.S. Patent 5,146,552, issued September 8, 1992) [hereinafter "Cassorla"], in view of Montlick, (U.S. Patent 5,561,446, issued October 1, 1996) [hereinafter "Montlick"] and Applicant Admitted Prior Art (AAPA), Specification pages 7-8.

Regarding **independent claim 1, as amended**, Cassorla in view of Montlick teaches:

A document browser that merges and displays additional information with document data, including text data and/or image data, that can be displayed on a display device, comprising:

an additional information input judgment means judging whether handwriting input is enabled at a location;

additional information receiving means for receiving input of the additional information that includes handwritten pen-track data;

(See, Cassorla, col. 2, lines 23-25, teaching that than annotation ("additional information") may be stored within or separately from the published material.)

browsing means for merging and displaying on the display device the document data with the additional information that includes handwritten pen-track data;

(See, Cassorla, col. 2, lines 31-35, teaching the display of the additional information with the original document data.)

positional information obtaining means for obtaining the positional information of the additional information in the document data;

(See, Cassorla, col. 2, lines 41-44, teaching the use of relative position to fix the precise position of some annotations that the reader wants to pinpoint to a particular line or word position.)

properties information obtaining means for obtaining properties information of the additional information; said properties information including attribute information included in the additional information including line color, level of transparency, and line thickness or other properties data of the additional information such as a shape classification, size, or date and time of input.

(See, Cassorla, col. 4, lines 4-42, teaching a variety of properties that may be attached to annotations, including color, type style, etc. See also, Cassorla, col. 5, lines 18-21, teaching that once the reader has completed adding the additional information, the invention adds the topic, line number, author identification, date and time information to the text of the note.)

additional information storage means for storing the additional information that includes handwritten pen-track data with the positional information and the properties information;

(See, Cassorla, col. 5, lines 21-24, teaching storage of notes ("additional information") in a file or partition of a file on a host system or as a separate file on the local disk of a stand-alone workstation or personal computer.)

additional information searching means for searching the additional information stored in the additional information storage means based on the properties information of the additional information; and

(See, Cassorla, col. 9, lines 23-53, teaching search methods to recover additional information from memory storage locations and to associate that information with the appropriate text.)

search results display means for displaying on the display device the search results found by the additional information searching means.

(See, Cassorla, col. 9, lines 23-53, teaching search methods to recover additional information from memory storage locations and to associate that information with the appropriate text.

Cassorla does not expressly teach *handwritten pen-track data or a handwriting pen-track identification part using pattern recognition technology to identify a kind of shape classification for pen-track data input using the pointing device.*

Montlick teaches “handwritten pen-track data” as “electronic ink.” Specifically, Montlick teaches receiving, displaying, and storing electronic ink as additional information to text and graphics. See, Montlick, col. 2, line 37 through col. 12, line 4, specifically see, col. 9, lines 26-37, and col. 10, line 6 through col. 11, line 18, teaching associating electronic ink with annotations. Further it is noted that in order to receive, display, and store the handwriting input, it is required that the input be “enabled”; otherwise handwriting input could not be input in the first place.

The teachings of Cassorla and Montlick are combinable in that that both involve the art of electronic annotation of text and graphics.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teaching of Cassorla and Montlick.

The suggestion or motivation to combine the references is that Cassorla teaches “notes” as textual annotations to a document. See, Cassorla, col. 4, line 55 through col. 5, line 30, teaching “notes” as annotations. Montlick teaches a handwritten, electronic

ink, method of incorporating notes into an electronic document. Therefore Montlick merely adds another function, handwritten notes, to the typed notes taught by Cassorla. They are just different forms of entry for notes or annotations associated with a document. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Cassorla and Montlick to result in the invention specified in claim 1.)

While neither Cassorla nor Montlick teaches *a handwriting pen-track identification part using pattern recognition technology to identify a kind of shape classification for pen-track data input using the pointing device*, AAPA teaches on page 7, lines 24-27 and page 8, lines 1-16 of the Specification, "Pattern recognition technology that judges which shape a pattern best matches has long been known, and detailed description of that technology will be omitted here". Therefore, the newly recited limitation was well known in the art at the time of the Applicant's invention as indicated by Applicant's specification on pages 7-8. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a handwriting pen-track identification part to identify the shape of pen-track data in the system of Cassorla/Montlick because it aids in judging what shape a pattern best matches.

Regarding **dependent claim 2**, Cassorla in view of Montlick teaches:

The document browser according to claim 1, wherein the document data is an HTML document, an XML document, or other structured document.

(See, Cassorla, col. 1, lines 12-66, teaching that the invention may be used with a structured document, including a markup language source document, and also including a document in the standardized general markup language (SGML).)

Regarding **dependent claim 4**, Cassorla in view of Montlick teaches:

The document browser according to any of the claims 1, wherein the additional information receiving means comprises a pen tablet, a mouse, or other pointing device.

(See, Cassorla, col. 3, line 12 through col. 4, line 3, teaching use of an appropriate action with a pointing mechanism such as a text or graphic cursor driven by a mouse, touch screen, joystick, keyboard or other command action, which is the same as the means claimed in the application.)

Regarding **independent claim 6, as amended**, Cassorla in view of Montlick teaches:

A document browsing method in which additional information is merged and displayed with document data, including text data and/or image data, that can be displayed on a display device, comprising:

displaying the document data on a display device;

judging whether handwriting input is enabled at a location;

receiving an input of additional information, including handwritten pen-track data, with respect to the document data displayed on the display device;

merging and displaying on the display device the document data with the additional information that includes handwritten pen-track data;

obtaining the positional information of the additional information in the document data;

obtaining properties information of the additional information, said properties information including attribute information included in the additional information including line color, level of transparency, and line thickness or other properties data of the additional information such as a shape classification, size, or date and time of input.

storing the additional information that includes handwritten pen-track data with the positional information and the properties information;

searching the additional information stored in the additional information storage means based on the properties information of the additional information;
and

displaying on the display device the search results found by the additional information searching means;

identifying, via pattern recognition technology, a kind of shape classification for pen-track data input using the pointing device.

(Claim 6 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

Regarding **independent claim 7, as amended**, Cassorla in view of Montlick teaches:

A computer readable medium encoded with processing instructions for causing a processor to execute a document browsing method, the document browsing method merging and displaying additional information with document data, including text data and/or image data, that can be displayed on a display device, and comprising:

displaying the document data on a display device;

judging whether handwriting input is enabled at a location;

receiving the additional information, including handwritten pen-track data, input to the document data displayed on the display device;

merging and displaying on the display device the document data with the additional information that includes handwritten pen-track data;

obtaining the positional information of the additional information in the document data;

obtaining properties information of the additional information, said properties information including attribute information included in the additional information including line color, level of transparency, and line thickness or other properties data of the additional information such as a shape classification, size, or date and time of input.

storing the additional information that includes handwritten pen-track data with the positional information and the properties information;

searching the additional information stored in the additional information storage means based on the properties information of the additional information; and

displaying on the display device the search results found by the additional information searching means; and

identifying, via pattern recognition technology, a kind of shape classification for pen-track data input using the pointing device.

(Claim 7 incorporates substantially similar subject matter as claimed in claim 1 and is rejected along the same rationale.)

5. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Cassorla in view of Montlick and Applicant Admitted Prior Art (AAPA) as applied to claim 1 above, and further in view of Fitzpatrick, et al., "Translucent Window Attribute," IBM Technical Disclosure Bulletin, Vol. 36, No. 06A, pages 135-136, June 1, 1993 [hereinafter "Fitzpatrick"].

Regarding **dependent claim 5**, Cassorla in view of Montlick and further in view of Fitzpatrick teaches:

The document browser according to any of the claims 1, wherein the additional information is displayed semi-transparently so that the document data is identifiable when the additional information is merged with the document data.

(Cassorla in view of Montlick teaches the invention of claim 1, but does not expressly teach that the additional information is displayed semi-transparently so that the document data is identifiable when the additional information is merged with the document data.

Fitzpatrick expressly teaches a "translucent window," which is used when a container object is located on top of other container objects.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Cassorla and Montlick for the association of annotations with a document, with the teachings of Fitzpatrick that a window containing the annotation could be placed on top of the text, with the annotation displayed semi-transparently or translucently.

The suggestion or motivation to combine the references is expressed in Fitzpatrick which states that the translucent window attribute greatly expands the number of objects accessible by users for a given presentation space. Rather than forcing a note to occupy a column of a display screen, overlaying a note over a document in a translucent form prevents obstruction of the underlying document and thus greatly expands the number of objects accessible to the user for a given presentation space.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Cassorla and Montlick with the teachings of Fitzpatrick to result in the invention specified in claim 5.)

6. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

7. Applicant's further amendments and arguments filed 05/17/07 have been fully considered, but they are not persuasive.

On page 5 of the Remarks, Applicant provides an overview of the teachings of the prior art references, Cassorla and Montlick.

On page 6 of the Remarks, Applicant argues neither Cassorla nor Montlick teach *properties information including attribute information included in the additional information including line color, level of transparency, and line thickness or other properties data of the additional information such as a shape classification, size, or date and time of input* as now recited in the independent claims. Examiner respectfully disagrees in light of Cassorla's teachings in col. 4, lines 4-42, teaching a variety of properties that may be attached to annotations, including color, type style, etc. See also, Cassorla, col. 5, lines 18-21, teaching that once the reader has completed adding the additional information, the invention adds the topic, line number, author identification, date and time information to the text of the note. Therefore, Examiner

maintains that Cassorla teaches the limitation, *properties information including attribute information included in the additional information including line color, level of transparency, and line thickness or other properties data of the additional information such as a shape classification, size, or date and time of input.*

On page 6 of the Remarks, Applicant further argues, Montlick fails to disclose searching based on the combination of the type of shape classification, attribute data, or size of pen-track data by using a handwriting pen-track identification part as in the present invention. Examiner notes the claim recites, "*searching additional information stored in the additional information storage means based on the properties information of the additional information*". This is different from what is argued - *searching based on the combination of the type of shape classification, attribute data, or size of pen-track data by using a handwriting pen-track identification part.* The properties information includes attribute information including line color, level of transparency, and line thickness **OR** shape classification, size, or data and time of input as recited by the claim. In other words, it is not required that the combination of a type of shape classification, attribute data, or size of pen-track data be searched, but rather the additional information is searched based on properties information such as line color, level of transparency, and line thickness **OR** shape classification, size, or data and time of input. Cassorla teaches in col. 9, lines 23-53, search methods to recover additional information from memory storage locations and to associate that information with the appropriate text. Furthermore, the handwriting pen-track identification part uses pattern recognition technology to identify a kind of shape classification for pen-track data input

using the pointing device as currently recited in the claim, it is not used to search the size of pen-track data or attribute data.

The newly recited limitation in the independent claims recites, *a handwriting pen-track identification part uses pattern recognition technology to identify a kind of shape classification for pen-track data input using the pointing device*. This feature is disclosed by Applicant on page 7, lines 24-27 and page 8, lines 1-16 of the Specification. Applicant states, "Pattern recognition technology that judges which shape a pattern best matches has long been known, and detailed description of that technology will be omitted here". Therefore, the newly recited limitation was well known in the art at the time of the Applicant's invention as indicated by Applicant's specification on pages 7-8 and is considered Applicant Admitted Prior Art (AAPA).

In view of the comments above, the rejection is maintained.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rachna Singh
Art Unit 2176
07/30/07